

**City Council of the City of New Castle  
Special Meeting  
Town Hall, 201 Delaware Street, New Castle  
Tuesday, June 30, 2015 at 6:30 p.m.**

**Call to order:** 6:30 p.m.

**Roll Call:**

Councilperson Megginson - present  
Councilperson Vannucci - present  
Council President Ratchford - present  
Councilperson Petty - present  
Councilperson Di Mondì - present

Also present:

William Barthel, City Administrator  
Donald Reese, Mayor  
Kathy Walls, Finance Coordinator  
Jeff Bergstrom, Building Official & Fire Marshall  
Leila Hamroun, City Architect

**Old Business**

**Motion, Discussion and Vote on Resolution 2015-29, to Set FY 2015-16 Grant Budget.**

Last week, City Council passed Resolution 2015-28 that set the FY 2015-16 tax rate and adopted the 2015-16 City Budget. Tonight, the Council will review and pass the Grant Budget.

The City Finance Coordinator, Kathy Walls presented the Grant Budget balanced at \$1,409,290.00. All grants that have been applied for and awarded are included. If the funds are not received, the money will not be spent.

Councilperson Di Mondì asked if matching funds are required. Ms. Walls explained that the matching funds are accounted for in the General Fund of the Operating Budget.

Councilperson Di Mondì asked about the purpose of the water shed grant. Ms. Walls replied that it is the funding for the pier.

The Motion to consider Resolution No. 2015-29 was made by Councilperson Vannucci and seconded by Councilperson Petty.

President Ratchford read the resolution.

**Resolution No. 2015-29 passed unanimously.**

## **New Business**

### **Presentation to Council of (HARC) Historic Area Review Committee report of recommendations.**

President Ratchford introduced the City's Architect for the Historic Area Review Commission, Leila Hamroun. Ms. Hamroun led the Historic Area Review Committee in their project to review the current guidelines that were established 25 years ago and make recommendations for improvements. The President thanked the members of the committee - Michael Connolly, Joseph Day, Douglass Lovett and James Meek.

Ms. Hamroun thanked the committee and town residents for their participation and input. The goal of the review project was to come up with a product of this time period.

There is general agreement on which buildings are significant and views that are important such as Battery Park. There are many types of houses some of which are more significant than others. A mechanism is needed for what will be recognized as significant properties as well as the odd ball properties.

#### **Project Goals:**

- Update the HAC guidelines
- Address appropriate treatments and application processes
- Review the approval process

Input was provided through four public meetings as well as emails and letters. The City of New Castle's legal counsel was consulted and there were informational meetings with the Delaware Historic Preservation Office and the National Park Service.

The intention is to create a New Castle-centric product that relates directly to the buildings and history of this specific town.

Ms. Hamroun used a PowerPoint presentation to provide a summary of the committee's recommendations. (See Attachment I)

The committee recommends a tiered review system with opportunities to expedite the process. Many applications will be approved by the Building Official with no need to go to HAC. What constitutes an expedited or emergency review is defined. A flowchart will graphically illustrate the process.

There are categories of buildings: key, contributing and non-contributing each with materials requirements and approval processes appropriate to the category. The key buildings are the significant historic structures like the Armory, Amstel House and Courthouse.

The committee recommends removal of references to the colonial period because the percentage of buildings from that time period is very small.

The report recommends term limits for the members of HAC – three year terms with no more than two consecutive terms. The architect member should be registered in the State of Delaware. There is no general agreement as to whether or not the architect should vote. The consensus of the review committee is that the architect should not vote while the consensus of HAC is that the architect should vote.

The specific area of New Castle that requires HAC approvals is not clear. There are discrepancies between the locally defined historic district and the National Historic Landmark.

#### Next Steps

The City should apply for certified local government status (CLG) to obtain grants for preservation-related non-construction activities. The CLG requires that the City's code include a process to add or delete buildings from being designated as requiring HAC review.

Conduct an updated historic buildings inventory to classify the buildings to allow for the tiered guidelines and review.

#### City Council Comments

Councilperson Di Mondì commented that a lot of information is provided and congratulated the City Architect and Committee on their work. His concern is that the human element is a problem and is not accounted for in the process. A mechanism is needed to eliminate the human element through having a professional make the determinations. Appeals to decisions should go through elected officials like City Council. The committee members making these determinations are not qualified. The guidelines should not just apply to the front of buildings. Important buildings should be in compliance all the way around. Alternate materials are not time proven and may not be better.

President Ratchford asked for clarification about whether the City would make a recommendation or the final decision on the inclusion of properties if the city obtains CLG status. The Architect advised that the CLG requires that determinations be made by a pre-ordained internal process. Areas can be added or removed.

Councilperson Petty thanked the architect. The new guidelines and process should help HAC with their work. Ms. Hamroun replied that HAC represents the community. The committee tried to eliminate “like to see” and “preferable” and make everything direct and action oriented.

Councilperson Di Mondì commented that New Castle is too small to afford professional planners and others that the next level of government has doing this type of work. In new Castle, committee members are selected because they are friends with someone. The Architect advised that even large cities have a commission in addition to the professionals.

#### Public Comments

Ken Oppenheimer of East 5<sup>th</sup> Street thanked the architect for her work. The review was long overdue and well-done. The Charter of HAC is very clearly spelled out to define what they can and can't address. Mr. Oppenheimer believes that homeowners in the historic district should be given priority as members of HAC. Consultants, in this case an Architect, are needed to provide expertise but aren't stakeholders and shouldn't vote. Consideration may be given to have the Architect vote to break a tie. To improve accountability, Mr. Oppenheimer would like voting members of the commission to be elected.

Mike Quaranta of Delaware Street, currently a member of HAC and Chair of the Planning Commission, commended City Council for undertaking and funding this project. It was decades overdue and was a full scrub of the entire process. Members of HAC need to have the proper attitude. People coming before HAC are property owners making an investment of hundreds or thousands of dollars. The process was diminished by the way applicants were treated. Mr. Quaranta cautioned that the application process needs to be improved with more information without making it burdensome. The new guidelines rule out subjectivity and replace it with objectivity. Communicating with the public is paramount. As the process is updated and changed, he recommends using videos to communicate. Having the application process online would be helpful and make it clearer and take electronic payments would make the process easier. It is important that "emergency" is clearly defined because Ms. Monigle is always put in tenuous position when people call with an "emergency". Mr. Quaranta thinks the Architect should not vote. Decisions are sometimes controversial and need professional input. It would be helpful for members of all commissions to be provided an orientation. The new guidelines do not address interior commercial signage because HAC has no jurisdiction inside of buildings. Inspection and enforcement are important. Rules don't matter if they're not enforced. The committee should give consideration to the concept of three strikes and you're out for people that have come before HAC to replace the same window or door several times but the replacement that meets requirements doesn't last. Alternatives materials deserve consideration. Even the White House and other important historic buildings use them.

Terry Gormley of East 2<sup>nd</sup> Street asked what is the process going forward. President Ratchford replied that they need to decide next steps. Ms. Gormley asked about recourse for negative decisions and the President advised that an arbitration process exists. The Architect added that a mechanism for appeal is included in the recommended guidelines. Ms. Gormley asked about those that cannot afford to comply – what is their recourse. Ms. Hamroun stated that financial distress is not part of the HAC process but does exist in other jurisdictions. Considering income becomes complicated because there is need for proof.

Councilperson Di Mondì commented that people should be told not to buy a house that is too big or an old house that requires big pockets. The City can't help people that can't afford repairs. They need to move out of the house.

Judie Baldini of South Street asked about changes to the boundaries of the historic district and if the local government can remove properties from the historic area. Ms. Hamroun

advised that the area can be increased or decreased on a local level. The committee only looked at the discrepancies and the need for clarity.

Marianne Caven of West 3<sup>rd</sup> Street commended the committee for the much needed update. Regarding the Architect, she strongly supports voting membership. She did some research and found that in the majority of cases the Architect does vote. The Architect brings the most knowledge and credentials to the table. Not all commissions require that the members be residents of the district. The standards and guidelines are excellent. She didn't hear anything about the duties of members in terms of the need to review the applications and visit site under consideration in advance of the meeting. She finds that people are impressed with the extreme care and preservation of our buildings. Composite materials are not necessarily better or longer lasting. In regard to process, she would like to include notifications to neighbors when major changes are being made.

Ken Oppenheimer of East 5<sup>th</sup> Street commented that a contract a between homeowner and contractor should not be made part of public record.

The PowerPoint used during the meeting will be published on the web site with additional information added in two to three weeks.

**The motion to adjourn** was made by Councilperson Megginson, seconded by Councilperson Vannucci and passed unanimously. Council adjourned at 8:24 pm.

Respectfully submitted,

Janet Wurtzel  
Clerk of the City of New Castle